



Town of New Windsor

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OFFICE OF THE PLANNING BOARD

WEDNESDAY — 7:30 PM - *MAY 14, 2003*
TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: MARCH 26, 2003

ANNUAL MOBILE HOME PARK REVIEW:

- a. SARIS MOBILE HOME PARK – UNION AVENUE (SARIS)

PUBLIC HEARINGS:

1. FIRST COLUMBIA (N.Y. INTERNATIONAL PLAZA) 02-200 - PARCEL "H"
SUBDIVISION (BETTE)

REGULAR ITEMS:

2. CITO, JOHN LOT LINE CHANGE (03-10) LAKESIDE DRIVE (CITO)
3. MINUTEMAN RESTAURANT SUPPLY & RENTALS (03-04) TEMPLE HILL
ROAD (GUALTIERE) Proposed new construction – 4 stores for rentals on vacant
property.
4. BEATTIE ROAD ASSOCIATES—(02-36) BEATTIE ROAD (MIELE) Proposed 5-lot
residential subdivision.
5. BENEDICT POND SENIOR PROJECT SITE PLAN (02-30) MT. AIRY ROAD
(DI NARDO) Proposed 120-unit Senior Housing Project
6. CORNWALL COMMONS SUBDIVISION (00-06) Forge Hill Road & Rt. 9W (Lanc &
Tully) Proposed 60 lot residential subdivision.

DISCUSSION:

7. NIMA CONTRACTING SITE PLAN (03-06) RT. 9W – AUTHORIZE PUBLIC
HEARING – Proposed office/retail building.

ADJOURNMENT

(NEXT MEETING – MAY 28, 2003)

May 14, 2003

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TOWN OF NEW WINDSOR

PLANNING BOARD

MAY 14, 2003

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JIM BRESNAN
RON LANDER
THOMAS KARNAVEZOS
NEIL SCHLESINGER

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

STUART TURNER
PLANNING BOARD CONSULTANT

ALSO PRESENT: ERIC MASON

ABSENT: JERRY ARGENIO

REGULAR MEETING

MR. PETRO: I'd like to call the May 14, 2003 meeting of the New Windsor Planning Board to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

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APPROVAL OF MINUTES DATED: MARCH 26, 2003

MR. PETRO: Approval of minutes dated March 26, 2003, motion to accept as written?

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the minutes as written. Is there any discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

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ANNUAL MOBILE HOME PARK REVIEW:

SARIS MOBILE HOME PARK

MR. PETRO: The mobile home park review is off for this evening as per his request so we'll go right to the public hearing.

PUBLIC HEARINGS:

FIRST COLUMBIA (N.Y. INTERNATIONAL PLAZA) 02-20

Mr. Chris Bette appeared before the board for this proposal.

MR. PETRO: Okay, Chris, address the board first then we'll turn it over the public.

MR. BETTE: Okay, my name is Chris Bette, I'm with First Columbia. With me is Greg Foucher. We're here tonight for the joint public hearing for the subdivision of Parcel H and for SEQRA. I've got two plans here. The plan that we saw probably a year ago May actually for the subdivision of Parcel H, Parcel H was the large parcel that was originally 226 plus or minus acres, we're proposing to resubdivide that to create two lots, one lot 95 acres, the other lot 32 acres. With that request for subdivision we were asked to review the impacts associated with the overall or the redevelopment of the lands so tonight, we're also here for our SEQRA public hearing. Recently, we have submitted the DEIS that was completed in accordance with the scoping document that was approved by this board early this year. Our DEIS reflects the redevelopment of the former STAS lands. We're proposing to develop it for a state of the art facility for primarily commercial business. We have a multi-family component which is residential for the corporate employee that would also support the park. Our focus is office, we think that the market, the need and the location are ripe for that type of use across from the airport. Our DEIS looked at the potential environmental impacts associated with the redevelopment, we looked at everything from soils, geology, visual, water, traffic, vegetation, wildlife, land use, infrastructure, noise and economics. The redevelopment plan is intended to revitalize this dormant piece of property using the existing roads, the existing infrastructure which includes the water lines, the sewer lines, the storm lines, the electric and gas that are at the site are to be reused but to be located underground to enhance the appeal of the property. The redevelopment plan incorporates the uses as permitted

by the Airport 1 zoning. We have created a flexible plan, we're trying to provide a plan that would be attractive to any perspective tenants, clients that meets current and future market demand, we have tried to best guess what the demand will be in 15 years, so we have tried to generate a plan and look at the impacts associated with the various uses. We're trying to remain flexible, things change, market changes, the analysis was based on a 2 1/2 million square foot redevelopment. Our intention is to build 2 million square feet. We analyzed more square footage to further demonstrate that the impacts associated with a 2 1/2 million square foot redevelopment are able to be accommodated by mitigation or what have you. Our DEIS that you have all seen demonstrates that there are some issues that have to be dealt with and I think we have shown that we can deal with them. I guess at this time we're here to hear any comments that you may have.

MR. PETRO: Well, the board's looked at it at the last meeting on April 9, at that time, we had determined it was ready for public input, so that's why we have a public hearing tonight. And we can have input into the, from the public. We're going to open it up to the public for the hearing and also we have the 27th of May to take any written information that may come forward. On the 22nd day of April, 2003, 7 addressed envelopes containing the notice of public hearing were mailed. At this time, I'd open it up to the public for any comment. Please state your name and address, come forward and be recognize by the Chair. Yes, ma'am?

MS. KASSAM: Good evening, my name is Sandra Kassam and I live in the Town of Newburgh, 1261 Union Avenue. I have questions this evening more so than comments but if you just bear with me. My first question is hi, Chris, first of all, I will make a comment, I think that developing this piece of land, redeveloping this piece of land on the airport is a good idea. It seems like an appropriate thing to do and it's in I think the right place for this kind of, you know, a project. I would just like to make that statement for the record. Now, I don't understand from what you have just presented, Parcel H, is that going to be subdivided, is work going to proceed on Parcel H before the EIS is

finished?

MR. BETTE: No.

MS. KASSAM: Almost sounded to me as though you were proceeding with Parcel H and it was somehow or other not part of the EIS process. Not true?

MR. BETTE: Not true.

MS. KASSAM: Parcel H as a subdivision of its own is part of the EIS process and no work will continue on that until you have a record of decision on the EIS?

MR. BETTE: Correct.

MS. KASSAM: Fine. I had a chance to look at the study today very briefly, I would like for the record I have never been in a position before where there wasn't a copy of an EIS to borrow, take out, and have. Often there have been copies that were actually made available to the public in other situations. I think that you might consider having a copy that can be removed and borrowed, people sign for it, it's done a lot. And then that gives the person who wants to make comments in this case myself more of a chance to really look at the material. What do you think about that, Mr. Petro?

MR. PETRO: Well, we had a copy here for review. I know that's not what you're saying. We felt that was sufficient. You're certainly welcome to come here and review it, take all the time you want and you can certainly make a copy of that.

MS. KASSAM: That's very extensive, I don't think you can do that.

MR. PETRO: You can sit here for eight hours a day the time the Town Hall is open and review it. The reason that this particular copy can't be out, if that's the only copy we have, if someone else shows up to review it, obviously, it wouldn't be here, it would be at your home.

MS. KASSAM: Have all the planning board members been operating with just that one copy?

MR. PETRO: We have our copies and they're being reviewed at our own leisure. The copy is left here for review, I mean, if you want to make that as a formal suggestion, I don't see anything wrong with that.

MS. KASSAM: I'd like that comment to be in the record that it's, the public is not able to borrow any copies of this document from the office. There's only one copy available to the public and the public must come in during office hours and review that document. Now, an interesting thing that I noticed as I was looking over the papers is that you called for scope comments in December, it was during the holiday season with a cutoff of January 2 and I did submit scope comments on January 2 but apparently, the draft environmental impact study was already underway and in fact, as I see in the papers, a draft of the draft was being reviewed in December, if not earlier, and it struck me as very odd that you would be calling for scope comments after the document itself was already being basically worked on. Do you have anything you want to say about that?

MR. PETRO: It can always be added.

MS. KASSAM: What would be added?

MR. PETRO: Your comments.

MS. KASSAM: I realize that but the scope of a document is really so to speak the table of contents.

MR. PETRO: But it wasn't complete, so it certainly can be added and taken under consideration.

MS. KASSAM: Okay. Overall, although I do intend to put in written comments, overall, I felt that there was very little detail offered in terms of the development plan itself. The maps in the document are very difficult to read because, and I have seen maps that showed what the current structures are as opposed to the planned structures that the project wants to see built that you want to put in and the maps that I saw

in the EIS didn't provide any kind of detail and were extremely difficult to read. And so as a result, the two build options with the differences in square footage and the no build option, well, the no build option is always, you know, nothing's going to happen type thing, but the two build options that only addressed the issue of total square footage, it was difficult to tell what the impacts on the site would be from one option versus the other. And so that raised a question in my mind and maybe you can answer it, is this a generic draft environmental impact study or a draft environmental impact study?

MR. PETRO: I think the difficulty and I think Chris touched on it earlier is that this is approximately a 15 year buildout and it's not something that could be pinpointed every action, I'm sure you can understand that, as the market would dictate things may change, it's somewhat market driven, and things do change constantly. So it's very hard to pinpoint exactly every item or every building that's going to be built, square footage, the types and every location, we're trying to get a feel for the entire project of a, like you say, what may be built in the one side of what you're talking about, then you go all the way down to zero. We know it's not going to be zero so he's trying to be somewhere in the middle to encompass the idea of what's going to be there. It's very difficult, I don't know how you would do it. I don't know how I could do it. I think it's very hard for anyone to pinpoint every exact use and location of every building with the exact square footage. I think he's doing a fairly good job. Could it be more precise, possibly, but as you become more precise, then certainly you have to stick to that more strictly if you've written it down. I think he's trying to give himself a little leeway. Keep in mind every building and every parcel that's developed is going to go through planning board process so we're going to review it as these buildings come in and as these lands are developed. So this is just an overview of what he thinks is going to be there. It's very hard to pinpoint every use and building.

MS. KASSAM: But Mr. Petro, I will appreciate what you're saying and I will comment on that, but you

didn't answer my question. Is that a generic DEIS or is this simply a DEIS?

MR. PETRO: Mark?

MR. EDSALL: We had those discussions with the applicant, I think it's best that we let them explain the approach they took to the EIS.

MS. KASSAM: Well, it's not a question of approach, it's a question of what you call it because if you call it a generic--

MR. EDSALL: This is submitted as an environmental impact statement, not a generic.

MS. KASSAM: Well, that's different because under a generic EIS, then you do come back in, you basically you create a footprint, as they say, and then you do come back in and you approve projects within the footprint, that's a generic study. However, if you're doing a DEIS, which is an EIS, is a draft EIS, then a certain amount of specificity should be required. Now I'm not talking about the buildings, per se, but certainly some sense of where buildings will be placed, I mean, you really have, if this is totally market driven, then how can we know what the impacts will be in terms of the environment at the site, in terms of traffic, for example, how can you calculate these things if you don't have at least a footprint? Now I didn't see a footprint on those maps, but I haven't studied the document for very long. I looked at it this afternoon, a locational sense of where you--and by the way, I didn't see anything about which buildings would be raised, you know, what you're going to remove. I did see discussion about blasting but it's probably in there but I didn't see where the blasting would occur. I didn't see anything about what would be taken down because the map didn't show current structures versus planned structures.

MR. PETRO: Chris?

MR. BETTE: I think you'll find in the document that we do demonstrate which buildings that we'll be

renovating, which buildings we won't be renovating.

MS. KASSAM: You mean, what's the word, I'm looking for a word?

MR. BETTE: Raising's a good word. I'm not sure I heard the rest of your question but you'll find all that stuff in the document, it's in there.

MS. KASSAM: It's there?

MR. BETTE: Ah-huh.

MR. EDSALL: It may be beneficial just to touch on the fact that you looked at various mixes or as it may be subalternatives of the square footage that you analyzed, so that even if the balance of the use has changed, they did evaluate that impact on sewer, water, storm water, traffic so they did look at that.

MS. KASSAM: I saw tables on water use and sewer use and so on, I did see that.

MR. EDSALL: So it did look at it, one of your questions was not being able to see into the future as far as analyzing what might occur, the point being is they did look at various mixes of those uses should there be a high demand for one versus another and that was one of the requests that we made.

MS. KASSAM: Now, the DEIS said that it assumes the completion of the highway and the construction of the housing at Stewart Terrace, now I put in a request for documents from Stewart Terrace Housing and one of the things I asked for was the lease between the Town and the housing group, it said they couldn't give it to me because it hasn't yet been finalized.

MR. PETRO: That's correct.

MS. KASSAM: What happens if the highway doesn't get built in its current location?

MR. PETRO: Chris?

MR. BETTE: We're obviously optimistic that it will, you know, I think you'll see us back here in the future, we may be reworking our plans but again, I think we're fairly confident that eventually the 84 connection will get built.

MS. KASSAM: Just one or two more comments. Is it indeed stated in the study where the blasting will occur?

MR. BETTE: The blasting was in reference to bedrock, not for the demolition of structures. If we encountered rock in excavations, then there would be blasting. We don't know, we have not found rock in our subsurface investigation, so we don't anticipate it occurring but it was not for demolition of structures.

MS. KASSAM: So you're saying that you do or do not expect to blast?

MR. BETTE: We do not.

MS. KASSAM: So my final comment at this point is the structures that you have already put up, the medical center, I believe there's another building behind that, what's that building?

MR. BETTE: The LSI Lightron facility.

MS. KASSAM: So it's a light industrial facility?

MR. BETTE: Correct.

MS. KASSAM: Those two facilities were put up without benefit of any EIS at all, you had them neg dec'd so it would seem to me that it would make sense and I would hope that you would want to incorporate the impacts of those two structures into this overall EIS. What are you planning to do about that?

MR. BETTE: Greg, do you want to answer that?

MS. KASSAM: Because the map doesn't show them as connected.

MR. FOUCHER: The impacts of those projects are in the overall evaluation of what the impacts are.

MR. BETTE: They're part of the analyzed 2 1/2 million square feet.

MS. KASSAM: You mean the square footage, but what about the traffic impacts and so on and you have already had highway changes there on 207.

MR. BETTE: Everything associated with those facilities has been incorporated into this study.

MS. KASSAM: All right. Final comments are due on the 27th?

MR. PETRO: Correct, May 27th.

MS. KASSAM: I would highly recommend that you provide another copy that can be removed from the office. I think it would be in your best interest to demonstrate that you're willing to meet the public in that regard. That's all I have to say. Thank you.

MR. PETRO: I'll take your comments under advisement. Anybody else? Motion to close the public hearing.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for First Columbia. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. PETRO: I reopen it up to the board for any further

comment. I would suggest that we have Miss Kassam's comments to go over, Mark certainly made comments, we have it in the minutes. Chris, take everything under advisement, you want to make any changes, you heard some comments here and you're going to work with Mr. Turner and Mr. Edsall to get it more complete and finalized?

MR. BETTE: Yes.

MR. PETRO: We'll move along once you have done that.

MR. BETTE: Thank you.

REGULAR ITEMS:

CITO, JOHN LOT LINE CHANGE (03-10)

Mr. John Cito appeared before the board for this proposal.

MR. PETRO: Application proposes lot line change between two adjacent lots to eliminate a non-conformity for an existing building. Mike, you must of picked up on this and asked him to do this?

MR. BABCOCK: Actually, it was two different lots and they're proposing to build a house on the vacant lot. And the property line skirts the edge of the house and it's just the right thing to do.

MR. PETRO: The bulk table is correct on the plan except for one note which will have to be changed before I can stamp it which would be a 50 foot minimum. Do you have a copy of Mark's comments?

MR. EDSALL: Right here. Why don't you take that?

MR. PETRO: Why don't you take that with you and get it straightened out.

MR. CITO: Thanks.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Cito lot line change. Is there any further comments? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE

MR. SCHLESINGER AYE
MR. PETRO AYE

MR. PETRO: I think this is very, very minor in nature, basically we're trying to correct a non-conforming piece of property. I think you're complying with the board and with the present laws. So with that, I would suggest that the board waive the public hearing under its discretionary judgment and I will take a motion to that effect.

MR. BRESNAN: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Cito lot line change on Lakeside Drive. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER AYE
MR. BRESNAN AYE
MR. KARNAVEZOS AYE
MR. SCHLESINGER AYE
MR. PETRO AYE

MR. PETRO: I'll entertain a motion to declare a negative dec under the SEQRA process for the Cito lot line change.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec under the SEQRA process for the Cito lot line change on Lakeside Drive. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER AYE

MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. PETRO: Mark, do you have anything outstanding on this?

MR. EDSALL: Just the one bulk table correction and it's in good shape.

MR. PETRO: You have to pay all your fees. Motion for final approval.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval for the Cito lot line change on Lakeside Drive, subject to the bulk table being corrected as earlier stated. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MINUTEMAN RESTAURANT SUPPLY & RENTALS (03-04)

Mr. Clarence Gualtiere appeared before the board for this proposal.

MR. PETRO: Proposed new construction four stores for rentals on vacant property, plan proposes construction of 9,490 square feet of new commercial building. Plan was previously reviewed at the 12 March, 2003 and 23 April, 2003 planning board meetings. This is a C Zone, laundromat, you're still sticking with the laundromat?

MR. GUALTIERE: Yes.

MR. PETRO: That's a special use permit, we had you require a public hearing.

MR. GUALTIERE: Right, did that.

MR. PETRO: Bulk information is correct, all uses have indicated bulk requirements. Only outstanding issue is DOT approval, we now have a letter of approval. It's my belief that the application is ready for approval with the following conditions, applicant should submit verification of lot merger to the planning board attorney. Andy, do you have that yet?

MR. KRIEGER: No, not yet and I will need, I want you to submit it twice cause I'm going to check it as to form, planning board engineer will check the metes and bounds description, so you need to submit two, one to me, one to him.

MR. GUALTIERE: No problem.

MR. PETRO: No work shall be performed in the DOT right-of-way until a permit is obtained. Mark, I assume your referring to the new one that he's adding?

MR. EDSALL: Right, he can use the current entrance, that comment is one of DOT's requirements.

MR. GUALTIERE: I'm waiting to, I'm just waiting for the permit. I talked to them the other day so I can drop stone, I'm not going to use the other driveway,

I'm going to ruin my driveway.

MR. PETRO: It has nothing to do with the existing drive or your business.

MR. GUALTIERE: Right.

MR. PETRO: And a bond estimate shall be submitted in accordance with Chapter 19 of the Town Code. Other than that, unless any of the members have anything to add to the plan itself we've reviewed it a number of times, except for hearing back within the 30 days, and we just waited for the DOT to make their comment, we had given you an option to go with either way on the plan.

MR. GUALTIERE: Yes.

MR. PETRO: So now we know which way we're going and that's final. Again, we have Fire approval on 3/10/2003 and now we have Highway on 3/10/2003. That's it. DOT is 5/13/2003. Mark, do you have anything else?

MR. EDSALL: We're done with SEQRA, right?

MS. MASON: Done.

MR. EDSALL: No, I would just, when you do grant the approval, make sure that you're giving both site plan and special permit approvals.

MR. PETRO: Motion for final approval for Minuteman Restaurant and Supply.

MR. LANDER: So moved.

MR. PETRO: And the special use permit as required.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded. Is there any further comments from any of the board

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members? And I read in your subject-to's prior, you're going to have to get the lot merged and the DOT right-of-way permit and the bond estimate.

MR. GUALTIERE: Okay.

MR. PETRO: No other comment, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

BEATTIE ROAD ASSOCIATES (02-36)

Robert DiNardo, Esq. and Mr. Michael Miele appeared before the board for this proposal.

MR. PETRO: Beattie Road Associates proposed 5 lot residential subdivision. Application proposes subdivision of 85 acre parcel into 5 single family residential lots. Plan was previously reviewed at the 8 January, 2003 planning board meeting and is before the board for a public hearing at this meeting.

MR. EDSALL: No, that's an erroneous comment that last one.

MR. PETRO: R-1 zone in the Town, permitted use by law. Each lot appears to easily comply with the minimum bulk requirements. Okay?

MR. DINARDO: Thank you, Robert DiNardo and Michael Miele for the applicant. At the public hearing on April 9, there was some minor comments and the map revisions that were made as a consequence of that, if you'd like, I'll run through them quickly. There was a request by the member of the public to locate the historic elm and place a note on the map to the effect that it will not be disturbed. That has been done. We have also next located the wetlands as was requested. We removed the reference to Phase 2 as was suggested. We have located or labeled Beattie Road on the map. Those are comments that I recall that came out during the hearing. Also 4 comments made by Mr. Edsall in his written review which we have addressed. One he wanted a note to the effect that lot number 5 which is the balance lot is limited to one building permit in spite of the fact that it's on both sides of the road, unless and until further subdivision has been approved, a note to that effect has been placed on the map. The sight distance, a reference to the site distance has been placed on the map as well as a note with respect to the methodology used to compute the sight distance both as Mark Edsall requested and lastly Mr. Edsall's last comment related to amending a bulk requirement which has been done. It's fairly routine and that's it.

MR. PETRO: Well, let's see, we have 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 items from Mr. Edsall.

MR. EDSALL: The difficulty Mr. Chairman we have with this, this application kind of bounced around a bit but most of the comments are map corrections for notes. The only real issue I have is--

MR. DINARDO: Could I perhaps see one?

MR. EDSALL: Sure. The two that I need the board to give me some assistance on last meeting you asked about some clearing restrictions, could you all look at note 4 and tell me if that's adequate or whether or not you wanted something greater than that?

MR. PETRO: Read note number 4.

MR. DINARDO: There shall be no construction in side yard setback of lot 4.

MR. MIELE: That was addressing the issue that one of the people had brought up.

MR. EDSALL: So does that cover enough of the area?

MR. PETRO: He answered that particular issue.

MR. EDSALL: So we'll scratch that as being adequate. And the other one was the location plan which I think we all know where it is by now but you asked for a better location plan, actually the same one.

MR. DINARDO: More detail in terms of surrounding roads?

MR. EDSALL: I know where it is but I'm asking them if you want it improved or you think it's adequate?

MR. PETRO: Did you have a licensed surveyor stamp this?

MR. DINARDO: Yes.

MR. PETRO: When did you do that, today?

MR. MIELE: Yes.

MR. PETRO: Applicant should submit descriptions of offers of dedication to the Town attorney with a copy to the planning board engineer for necessary review. You need to do that.

MR. DINARDO: For highway widening strip?

MR. EDSALL: Yes.

MR. DINARDO: That can be done. We have a description, Michael?

MR. MIELE: Yes.

MR. DINARDO: That can be done overnight.

MR. PETRO: And we have highway, it's under review, I do not have an approval from highway so you want to talk to Mr. Kroll, find out what the holdup is. I would suggest this, that we have a second meeting this month, I'll put you first on this meeting, clean up all these items. I know you've already cleaned up a number of them, find out from Mr. Kroll what the problem is so when I look over here, it says approved.

MR. DINARDO: What's the date of the meeting, Mr. Chairman?

MR. PETRO: It's two weeks from tonight. I'll do number 3 at that meeting and we can start number 4 with Andy. I don't see any problem with going forward at that meeting, as long as all these are cleaned up, I just don't want to approve anything with ten items.

MR. BABCOCK: Mr. Chairman, can we go back to note 4 because it says there shall be no construction in the side yard setback of lot 4, that's what the purpose of the side yard setback is, nobody can do construction within the side yard setback, that's the purpose of it.

MR. EDSALL: No clearing.

MR. BABCOCK: Clearing.

MR. PETRO: That's what I'm saying, he can go over, I guess you're just seeing Mark's comments for the first time right now. So I think very easily you can clean these up, but I think they should be done, we don't have highway anyway and you need to address number 4 with the planning board attorney.

MR. DINARDO: And we can get in touch with Mr. Kroll directly?

MR. PETRO: Sure, I don't know what, just says under review, normally, it's not, it doesn't take that long, so I don't know what he's doing, there might be a culvert at an entranceway that he's trying to get sized, I don't want to go into it now, check with him, find out what it is so he can get it here. Okay?

MR. LANDER: What about the site distance on lot 1, Mark?

MR. EDSALL: Excuse me?

MR. LANDER: Do we have sufficient sight distance on lot 1?

MR. EDSALL: They have maximized it because they have taken the drive all the way to the right, that's one of the things that Henry has to look at cause there's clearing required to obtain the sight distance that you're showing but the plan doesn't show where the clearing's occurring, so I think does it show the limits of the clearing?

MR. MIELE: Just showed the area to obtain the sight distance is shown in the area where it needs to be cleared.

MR. EDSALL: Difficulty comes down to when the contractor goes out to do the work, we need to know if they're clearing the entire width of the lot, a third of the lot cause you're not showing it.

MR. MIELE: More specific what needs to be cleared.

MR. EDSALL: Otherwise we have no way of enforcing it in the field.

MR. DINARDO: Specify the limits of the clear area for lot number 1.

MR. EDSALL: Or show the sight line and we know everything forward of that has to be cleared. Mike, is there a chance of getting a set of plans even separate from the workshop so we can get going?

MR. MIELE: Sooner than that?

MR. EDSALL: Whenever you've got them available.

MR. MIELE: By Friday.

MR. EDSALL: Because I'd just as soon get this thing cleaned up and get a revised version to Henry that he can take out into the field.

MR. DINARDO: That makes sense.

MR. MIELE: Friday's okay?

MR. EDSALL: That's fine. Maybe deliver a copy just one to Myra so she's got one in the file in case a question comes up and one directly to myself and Henry, that way we can get this thing taken care of.

MR. MIELE: Is he right on 300 just passed 207?

MR. EDSALL: Yes.

MR. PETRO: Thank you.

BENEDICT POND SENIOR PROJECT SITE PLAN (02-30)

Robert DiNardo, Esq. and Mr. Alex Zepponi appeared before the board for this proposal.

MR. PETRO: This application proposes development of 52.5 acre parcel into 120 unit age restricted multi-family development. The plan was previously reviewed at the 9 October, 2002 planning board meeting and on a very conceptual basis. It's in an R-3 zone. Projects are a special permit use in all zones. The application involves subdivision of the lands to provide individual lots for units with common lands for the HOA. I think you've already talked to Mark, we're looking for condo units here, you got that all straightened out?

MR. DINARDO: We have, and the Town attorney, yes, yeah, the evolution of the plan what we propose now is a site plan showing condominium units.

MR. PETRO: Individual ownership for each unit?

MR. DINARDO: Individual ownership condominium.

MR. PETRO: And an association to take over the roads.

MR. DINARDO: Roads are going to be private. There will be a master HOA which will own the roads, the pond, the clubhouse, the amenities. Each unit owner, the unit, the formal ownership will be condominium number as opposed to individual lots which we understand is very much the preference of the Town and that's fine with us, that's what the present plan depicts. And basically we're here to review the purpose of, for the purpose of scheduling a public hearing. But yes, that's the form of ownership site plan one condominium with a master HOA just for the roads and the amenities.

MR. EDSALL: Bob, so there's no individual lots any longer?

MR. DINARDO: Correct.

MR. EDSALL: The previous form with the subdivisions that I referenced is now outdated so we'll be dealing just with a site plan application.

MR. PETRO: Is there a clubhouse?

MR. DINARDO: If I may, there will be a, we think we're going to probably go with three phases, three separate condominium construction phases in three separate condos and since we're going to have an HOA owning the amenities, the pond and clubhouse, there will actually be a 4 lot subdivision only to divide into three phases and then the HOA but no one will own an individual lot except that each condominium has to own its own ground.

MR. PETRO: Which one would be clubhouse and is there a pool, clubhouse pool?

MR. DINARDO: That will be on the HOA lot.

MR. PETRO: Managed by all the units?

MR. DINARDO: Owned by the HOA and every unit owner must be a member of the HOA.

MR. EDSALL: All the other condos that have been phased didn't have a subdivision application so you're stuck with setbacks from the internal lot lines, they just did it as a single lot with site plan with phases and then filed the condominium with the AG in phases.

MR. DINARDO: Maybe I didn't explain it carefully, let me show you a phasing plan.

MR. PETRO: You realize that Mark is telling you that your phase lines are going to become lot lines.

MR. EDSALL: I'd rather have them not be subdivision lot lines phased lines, the board can deal with that easily as part of a site plan when we create subdivision lines.

MR. DINARDO: You're only going to create subdivision lines so that this is a work in progress so it will illustrate the plan, this illustration has three

condominiums, yellow, blue and red, the first having 48 units, 36 units and 36 units. In this first phase, the reason the yellow has to be a distinct lot is in New York, you can't have an expandable condominium, you have to define how many units there are and that's what you're stuck with. And the condominium has to own the land. Well, what land is it going to go on? It's going to own only the land that supports those 48 units. So that's the extent of the subdivision, it's not a subdivision of units, it's a subdivision.

MR. PETRO: But you're still subdividing the parcel now into four separate lots, each one of those subdivision lines you're going to have to meet setbacks on each one of them, you're creating four separate large lots, you have all those lines to contend with.

MR. DINARDO: I don't think so. The reason I say that I can look at the code maybe work with Andy and Phil, the reason I don't think so is these subdivisions aren't being created for the purpose of conveying units, lots or homes, they're not, okay, let's assume if I could--

MR. PETRO: You're calling it a lot.

MR. DINARDO: But it's not a lot for conveyance purposes, that lot which is all this land would be conveyed to Benedict Pond condominium number 1, so it's not a lot for construction, for conveyance to a homeowner, it's a lot to satisfy the legal requirements that a condo has to own the ground. Well, if this is a distinct condo, it's only going to own the ground that supports those units.

MR. PETRO: We need you to eliminate the word subdivision and come up with new wording for your separate phases, you can certainly phase the project but that word subdivision I don't think is going to work.

MR. EDSALL: I think we'll put our reference in cause it's working at Plum Point so somehow or another the AG's office and the Town and the applicant worked out a way at Plum Point and Continental Manor and every other

place to make it work including Windsor Crest, so we'll figure out how they did it.

MR. DINARDO: My point is at some point in time the owner has to convey this land, the yellow land to condominium 1 Benedict Pond condo 1, if we can draw a deed and convey that by metes and bounds description without getting subdivision approval and without running afoul of your ordinance, we'd be happy to.

MR. PETRO: Work that out, I'm not an attorney, work that out with Mark and Andy. The other problem you're making four separate lots, I know you're saying you're not but to me we are. How are we going to, we can't review the whole thing at one time, which one are we going to do, number 1, then you're going to have another application for number 2 and 3 and 4?

MR. DINARDO: I think you can review them all at one time, just make sure obviously that the infrastructure works, you're going to, I assume as you go along you're going to assume that if the worst happens and only one gets built, is it self-sufficient, is it dependent on the others, but I don't see any reason why you can't review them all.

MR. PETRO: I think we're beating a dead horse. You have to find out how they're doing it down there because you can see you're going to have all kinds of setback problems and I don't see that, I don't even see that working with that.

MR. EDSALL: How about we proceed on the basis we're going to call it phase lines, what Bob needs to do to meet the AG's requirements we'll figure out by the time we're done, we'll just call it phases and treat it as one site plan.

MR. PETRO: This 52 acres here, you have 120 lots, what's that kind of coverage? Can you divide that out? Just curious per acre. Anybody working on that? Explain to me a little bit the senior citizen housing, how's that not restricted to our zoning codes as far as if it's R-5 or R-4, you have 6 units per acre, I think they don't actually have--

MR. EDSALL: It's a separate use from the zoning code.

MR. DINARDO: My recollection is it's a floating use, floating zone.

MR. PETRO: So basically you don't have restrictions, this is what you're proposing we have to review it as far as the number of units and that amount of acreage.

MR. DINARDO: The limitations are your senior bulk requirements.

MR. PETRO: What's that per unit, per acre?

MR. DINARDO: You have a bulk table, I know we have been through it but do you have a map that shows the bulk tables that apply to the senior use?

MR. ZEPPONI: If you look at the total acreage, it's 2.3 units per acre, you extract the lake, it's 2.3 units per acre and the previous question clubhouse is located in the lower portion by the pool that would be the fourth phase.

MR. DINARDO: Do you want to go back to the bulk requirements?

MR. PETRO: Well, you're at 2.8 approximately, so I think you're, I'm sure you're going to be under.

MR. DINARDO: The maps are some 31 pages but on the second page, it details the bulk requirements, what's proposed and what's required and we meet all the bulk requirements for that use.

MR. PETRO: Just tell me required.

MR. DINARDO: Well--

MR. PETRO: What's the maximum number of units you can have by law?

MR. ZEPPONI: It would be 3 per, depending on whether or not you want to include the lake or not but without

the lake, it would be 126, somewhere in that neighborhood.

MR. DINARDO: If you did towns. If you did--

MR. ZEPPONI: It's 3 per acre.

MR. PETRO: So you're telling me and I think Mark is going to come to the same conclusion that you're meeting the requirements of 120, which is actually less than what you could have.

MR. DINARDO: Right.

MR. EDSALL: Once they get the final layout and give the proper acreages, I'll doublecheck the zoning compliance but there's, and I'll make sure you have a copy of the correct version, there's a definition for gross and net area and it does work off of the net so we need to doublecheck that.

MR. PETRO: Absolutely the lake has to come out. If we net out an easement, we have to net out a lake.

MR. BABCOCK: Yes.

MR. EDSALL: Now, the senior housing is listed in each zone as a special permit use, but the bulk requirements are based on multi-family in R-5 so I think that's what you're looking for, Mr. Chairman, is what the bulk requirements were and that's basically the multi-family of R-5 which I believe is one per 7,000 at a minimum of five acres, which obviously they're way over. So might be beneficial if you, when we get the unit count nailed down, the acreage both gross and net nailed down to come up with a number of how many square foot per unit are being provided, that it's how far above the 7,000 we are, that will give you your answer, Mr. Chairman, on how close to the maximum are they.

MR. PETRO: I don't doubt that they're under it, just I had no idea, didn't seem like it was extreme coverage but if I can get less units on the property, I'll try to do that.

MR. DINARDO: Do you remember the original application was considerably more?

MR. PETRO: We appreciate your working with us also but--

MR. DINARDO: And they were different format and the Town's expressed a preference for townhouse form of construction which we've done and condominium form of ownership which we've done.

MR. PETRO: Where is the refuse, I don't see anything on here for garbage buildings.

MR. ZEPPONI: For the clubhouse there would be generally as I understand it the form of pickup would be from a private hauler for individual homes, they would all put out a trash can.

MR. PETRO: Then you have trash cans, you don't have a collection center for any number of units at a given place?

MR. ZEPPONI: No, the only place we'd expect one is the clubhouse.

MR. EDSALL: I think normally you like to have the recycle centers but that requires that the waste be carried in many cases quite a distance. You may want to look at this specific to being senior and they don't tend to have a lot of multiple cans but sometimes the travel distance poses a burden, so you may want to talk to them about how they can handle it, maybe have the individual cans.

MR. PETRO: Maybe not have them as, divide the pickup for recycling.

MR. EDSALL: Treat it like residential style only because if you have three or four recycle centers or garbage centers in this facility you're going to have some significant travel distance.

MR. PETRO: Why not combine both to a point, maybe not have as many recycle centers but give them an option to

have one or two places to get the garbage off the streets and still have the option to put out their cans, just seems like there would be a lot of units, a lot of cans all over the place, no?

MR. EDSALL: I agree with you.

MR. PETRO: You're going to have one by the clubhouse already, correct, maybe one up on the west end there.

MR. ZEPPONI: This is an open area where we have visitor parking.

MR. PETRO: Give it some thought and let me know what you think. Now, the roadway's coming in and out, you're accessing two roads?

MR. ZEPPONI: Dean Hill and Mt. Airy.

MR. PETRO: What's the other one supposed to be at the end?

MR. DINARDO: 94.

MR. PETRO: Maybe have you started a traffic study on any of this?

MR. DINARDO: Given the two access points till now it wasn't felt to be necessary.

MR. PETRO: Before I get into that, tell me a little bit about the units, I'm just curious, this is a senior complex, what is it, 2 bedroom units?

MR. ZEPPONI: Predominantly.

MR. DINARDO: Do you have a floor plan?

MR. BABCOCK: Mark, there's a restriction on the number of units and number of counts of bedroom?

MR. EDSALL: We're going to look at the whole thing.

MR. DINARDO: All I know is they have a two car garage in each and the square footage of the various units I

think you have indicated on the map.

MR. PETRO: What's the square footage of the unit?

MR. DINARDO: About 1,700 square feet, end units being a little larger.

MR. PETRO: Seems almost large for retired people.

MR. DINARDO: The feeling is particularly on as nice a piece of property as this is, I've been there, I assume many of you have also, it's really very unusual in that it's so scenic, it lends itself yet it's close to services but it lends itself in view of the developer to a little higher priced unit because it's so attractive and frankly, as we look at the county, it's hard to find a more upscale, larger townhouse with a garage. So we think there's a market niche there because frankly, I don't know where there are any and seems to me given the demographics of the baby boomers and all of that, that there will be a need for as I say a more upscale.

MR. PETRO: You mean, are you saying we're getting old, baby boomers?

MR. SCHLESINGER: Pardon my lack of knowledge, is there an age requirement?

MR. DINARDO: The ordinance has one and my recollection is that it's 55. Mark, do you recall the ordinance age break?

MR. EDSALL: Fifty-five is what my code says, 55, I don't think it's changed.

MR. SCHLESINGER: Any requirements for children?

MR. DINARDO: Yeah, there will be limitations, well, there are limitations in the code as far as children, there will be limitations in the condo documents because frankly, people buy into this kind of a community, they've had their children.

MR. SCHLESINGER: But somebody that has to raise their

daughter's child or something like that, are there restrictions?

MR. EDSALL: It's got to be a permanently disabled child so the code is very specific.

MR. SCHLESINGER: I'm sure there must be more maybe handicapped requirements or parking requirements.

MR. EDSALL: Well, the child issue comes down to a specific disability to even have a child there at all if it doesn't comply they're in violation of the zoning code.

MR. DINARDO: And the condo documents.

MR. PETRO: Let me tell you before we go on, I'm here 12 years, I haven't done any of these senior citizen complexes, whatever you call it, I don't know that much about it, so some of my questions may seem a little bit unusual because I'm kind of learning here as we go. I will say this, though, this is my personal opinion, I don't necessarily, I'm not really for this kind of thing. I have other people telling me that it's a great thing. Ronny just made a comment it should probably be closer to services and Shop Rite so they can walk over there and get their goods. I don't think it's important and I'll tell you why because you're talking about kids with disabilities, I think it's all a bunch of bull because over a number of years, I want to know how you're going to enforce it. It's not going to be, first of all, the builder and the people building it are going to be in Hawaii somewhere, they're not worried about enforcing it. I'm just telling you how I think about it. Now we have 120 units over here, I think over time, I have apartments that I rent myself and within six months, I don't know a person in the apartment. It goes to the mother, to the brother, to the friend, to the, I don't even know who the hell's in there half the time. So if you think it's only going to be old people, forget it, you may sell them all to old people and I use that term loosely, elderly people, but how is it going to be enforced?

MR. LANDER: Well, you still have the homeowner's association.

MR. PETRO: But let's say your daughter got divorced, she's coming over and you say look, first thing you know, that apartment's out, then the next one and this one and within nine years--

MR. LANDER: I don't think that will happen.

MR. EDSALL: We dealt with it on the newly constructed one probably eight years old whatever in Cornwall on Continental Road and it's almost self-enforcing because people who buy the units want a certain quality of life which may be some quiet and if people who are in violation of the condominium association agreement they'll go to the condo association and complain and also it's enforceable, Cornwall got a couple complaints and the Town enforced it.

MR. PETRO: Maybe I'm being cynical.

MR. EDSALL: You're probably right, if it was, other than the fact that you notice when it's being violated because the whole quality of the site being quiet changes quickly.

MR. PETRO: Over a period of time that's going to erode and it's going to erode, if the units are selling for 389 and I need one and I'll pay 450 cause I need to get my kid in there and next thing you know, it's not seniors anymore.

MR. DINARDO: Condominium documents can give the Town the right to enforce as well as the condo number 1, number 2, there are going to be violations because people are going to live there and everybody doesn't follow the rules, but I think there will be far more people complying than violating the rules.

MR. PETRO: I agree, at first, I'm sure that will be the case.

MR. DINARDO: Long term, especially as values increase and the stake that people have in these units and why

they bought them, I personally think, and I think my feeling is while there are violators, there are more people who comply than who violate.

MR. PETRO: And the other thing you just said is the Town has a way to enforce it, I don't know, I guess Mike, that would be your job, the building department? Who would do that? So I don't think that it has to be enforced itself or I can't imagine the fire inspector saying hey, what are you doing here, you're not 55.

MR. DINARDO: If we make it a condition of approval and the Town can have enforcement.

MR. PETRO: I think I'm getting away from planning board issues.

MR. ZEPPONI: I'll tell you from my personal experience, my parents live in a development like this that's about 20 years old, just as Mark indicated, it's enforcing when somebody has their kids move in, within days everybody recognizes it, there's six neighbors down to the board saying this can't be, it's a deed restriction. With regard to visiting, it's fairly common in the age restricted developments we have worked on and their kids they can visit for a certain amount of time, like your kids come up from Arizona, they can stay there for no more than 14 days, so it's very detailed, the deed restriction and what you agree to when you become a buyer in one of these developments.

MR. PETRO: Why are you here tonight? What are you trying to do tonight back to planning board?

MR. DINARDO: Schedule a public hearing.

MR. PETRO: Have any of the roadways, has it gone to the highway department? Is there a topo on this site plan? Mark, have you reviewed the drainage?

MR. EDSALL: I think we need to start SEQRA on this because we tried in October.

MR. DINARDO: You went to lead agency, did you not?

MR. EDSALL: We sent you the letter, you okayed the letter, we asked for the plans, we never got plans.

MR. DINARDO: Now you have the 31 page set.

MR. EDSALL: Wouldn't have made a difference because the plan changed, we should get a circulation out as soon as possible, it never went out. Get a full EAF and I would say just a single sheet that depicts the overall development and get that out as soon as possible.

MR. DINARDO: We submitted a long form I assume already you have a long form?

MR. EDSALL: No, we don't have one.

MR. DINARDO: You want a long form?

MS. MASON: Eight copies and 8 copies of the single sheet plan.

MR. PETRO: Motion to authorize lead agency coordination letter.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize lead agency coordination letter for Benedict Pond at New Windsor site plan. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. EDSALL: Can you make sure that that plan deals

with zoning so that we have that bulk information, the lot areas, the compliance with the one per 7,000?

MR. DINARDO: Can we make it two sided?

MR. EDSALL: You can make two sheets if you want, if you can fit a bulk table and some notes and the same plan you got there, if you want to make a second sheet to show a typical unit, fine.

MR. DINARDO: Bulk table and floor plan of a typical unit?

MR. EDSALL: Yeah, I think the whole idea just to show that you meet the zoning law and what it is so we can circulate it.

MR. PETRO: I think you should get their plan over to the highway department also you're accessing two Town roads.

MR. DINARDO: Yes.

MR. PETRO: That access on the, is that north, I can't tell from here where it hits 94?

MR. DINARDO: South.

MR. PETRO: Way over there, what's that access, is that a roadway on the corner here? What's that?

MR. ZEPPONI: That's an easement that actually we're coordinating to bring the utilities in.

MR. PETRO: Where is it hitting 94?

MR. ZEPPONI: Well, you come out Mt. Airy.

MR. PETRO: Just accessing two town roads?

MR. ZEPPONI: Exactly.

MR. PETRO: So just Mr. Kroll.

MR. ZEPPONI: There's an easement that occurs through

the church property for emergency purposes but that's strictly emergency.

MR. PETRO: There is?

MR. ZEPPONI: Yes.

MR. PETRO: Why don't you show this on that plan. Should we get into a crash gate on the loop?

MR. EDSALL: I would think so, that's a great connection, it would be terrible for general traffic but great for emergency.

MR. PETRO: Show a crash gate at that point, that intersection for emergency purposes. The other one's already naturally looped and I didn't go through the entire plan, do you have handicapped parking and everything shown on the plan?

MR. ZEPPONI: Well, on this exhibit, no, but within the plans there are.

MR. PETRO: Okay, get the letter out, lets get started with that once that's secured done 30 days, then we can schedule a public hearing and come back maybe take Mark's comments.

MR. EDSALL: Really the comments were more on where we stood.

MR. DINARDO: Mark, do you think once we get through the coordinated review and the lead agency becomes a final plan ready for hearing?

MR. EDSALL: Why don't you come to a workshop cause now you've got a plan that doesn't have lot lines anymore, I think what we'll do is we'll make sure we're on the same page.

MR. DINARDO: Workshop to ready for a hearing?

MR. EDSALL: Yeah.

MR. PETRO: You have to resolve that phasing those

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lines the way you word it and the way we're going to word it, it has to be resolved before a public hearing. Okay?

MR. DINARDO: I sure will, thank you.

CORNWALL COMMONS SUBDIVISION (00-06)

Robert DiNardo, Esq. and Ms. Lorraine Potter from Lanc & Tully appeared before the board for this proposal.

MR. PETRO: Application proposes subdivision of 52.8 acres into 69 single family residential lots. Plan was reviewed at the 22 March, 2000 and 24 April, 2002 planning board meeting. So you're grandfathered in under the old zoning?

MS. POTTER: Yes.

MR. PETRO: This is going to be, this is down by?

MR. EDSALL: This is the Cornwall Commons project at the top of Moodna hill.

MR. PETRO: Where is the water coming from?

MR. EDSALL: Village of Cornwall has already executed an intermunicipal agreement with New Windsor to provide water to this site.

MR. PETRO: You're not affected by the water moratorium on this application?

MS. POTTER: No.

MR. PETRO: Cornwall Planning Board assumed the role of lead agency, they received and they adopted the findings statement relative to the GEIS which includes the environmental evaluation and the development of the New Windsor lands, how many houses in New Windsor?

MS. POTTER: Sixty-nine.

MR. PETRO: Now there was some comments that came from Mr. Kroll, I guess you're aware of that, the dedication of the roads?

MS. POTTER: Yes, we're in the process of working with the Town attorneys on an agreement on how to handle dedicating this portion or ownership of this portion of the road which is in the Town of Cornwall to the Town

of New Windsor.

MR. PETRO: You realize why he's doing that so if there's a storm, the road would be under our control, he can manage it, he doesn't have to tell anybody else, we can get in there.

MS. POTTER: My name is Lorraine Potter, I'm with Lanc & Tully Engineering. As you've mentioned before, SEQRA review has been completed. This is Route 9W, we're proposing 69 lot residential individual home ownership. There's a main road coming off of 9W on the north side which will eventually loop around and come out on the southerly portion of the property. Main access to the site would be from this portion, we would have interior roads with a cul-de-sac at the end for the residential subdivision. We have talked with Mr. Edsall in regard to possibly developing a certain portion of the roads with the number of lots at the beginning phase and then for the remainder of the roads to be completed as the subdivision goes on. The sewer is Town of Cornwall through a pump station, all the sewage will be coming down here and the forced main will be crossing 9W going to the Town of Cornwall sewage treatment plant. That's basically it. Do you have any questions?

MR. PETRO: I have been, not that I'm trying to, I'm certainly not ignoring you, I'm concerned because we have a disapproval from the fire and there was two reasons he has or three or four new reasons, but one of the original comments and I think this goes back to 2000 when you first came in is that we had asked that the road have another access point in New Windsor somewhere.

MR. EDSALL: It's been looped, Jim, they did modify the plan to create that second loop into the project.

MR. PETRO: Not down to Forge Hill. Originally, we looked at off the cul-de-sac eliminating the lot and getting down to the road but the topo was a problem.

MR. EDSALL: That was sewer but you'd never get a road down, that's a cliff, there's really no accessible way over that, off that portion of the property.

MR. PETRO: Anything can be done.

MR. EDSALL: That would be a tough one.

MR. BABCOCK: They added Road D, Mark?

MR. EDSALL: They added Road D as a loop at your request that was added to the Cornwall plan and explained to Cornwall's planning board that you required it.

MR. PETRO: We do have some comments, I am unable to locate fire hydrants.

MS. POTTER: We'll be adding those.

MR. PETRO: You can get a copy of this, I'm just going to do this quick. So now please explain the reason there are two different water main sizes, 8 and 12 inch.

MS. POTTER: The 8, the 12 inch is for servicing the whole entire parcel, including the Town of Cornwall, we'll be coming in with the main line connecting to Cornwall, looping through coming to this portion and future connection crossing 9W. The 8 inch line which goes through the residential area is all that's required for the residential services.

MR. PETRO: And road names needed for all roadways in the Town of New Windsor, we have time for that yet. Why are you here tonight?

MR. DINARDO: Public hearing.

MS. POTTER: To request a public hearing.

MR. PETRO: I think you're ready for a public hearing on this one.

MR. DINARDO: I thought if I stayed long enough, you'd say that, Mr. Chairman.

MR. PETRO: Something's going right. Mark?

MR. EDSALL: I do think it's important we get the public hearing moving because they are ready but secondly because Cornwall has adopted their findings and Bob, correct me if I describe the procedure incorrectly, but we need to since it was a Type I action and because it had an EIS prepared, we need to do our on findings and obviously, we should do that upon the conclusion of public hearing. So I'd like to not have that drag on and really our conclusions are solely based on I believe our portion of the project.

MR. PETRO: Motion for a public hearing.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for the Cornwall Commons major subdivision, New York State Route 9W. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. PETRO: Anything else? I think that's good.

MR. DINARDO: Right, thank you.

DISCUSSION:

NIMA CONTRACTING SITE PLAN (03-06)

MR. PETRO: Proposed office retail building.

MR. EDSALL: The authorization of the public hearing was deferred when the board became aware that the neighboring property owner objected to the extension of the drainage pipe onto his property. They have since changed the plans to keep their drainage on their property, although it still runs where it always ran, which is to the low spot on the neighbor. So I think at this point, the plans are ready for public hearing.

MR. PETRO: Motion to authorize a public hearing for Nima Contracting.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize a public hearing for the Nima Contracting site plan on Route 9W. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. PETRO: Motion to adjourn.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

ROLL CALL

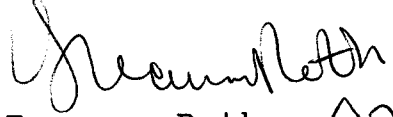
MR. LANDER	AYE
MR. BRESNAN	AYE

May 14, 2003

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MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

Respectfully Submitted By:


Frances Roth
Stenographer

5/28/03